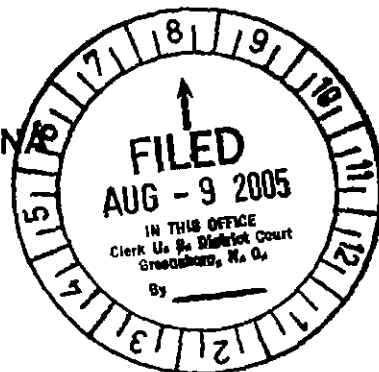


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



MELVIN DOUGLAS BERROW,

Petitioner,

v

THEODIS BECK, Secretary of  
the Dept. of Correction,

Respondent

1 05CV19

**J-U-D-G-M-E-N-T**

On June 13, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U S C § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that Respondent's motion for summary judgment [Pleading No. 6] be **GRANTED**, that Petitioner's motion for habeas corpus relief [Pleading No. 1] be **DENIED**, and that this action be dismissed with prejudice. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

  
UNITED STATES DISTRICT JUDGE

DATE August 9, 2005